

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA
Roanoke Division

-----x
DEMETRIUS HILL, :
Plaintiff, :
v. : 7:08CV283
TERRY O'BRIEN, et al., :
Defendants. : Big Stone Gap, Virginia
: October 6, 2011
-----x 9:22 a.m.

PARTIAL TRANSCRIPT OF TRIAL
BEFORE THE HONORABLE JAMES C. TURK
SENIOR UNITED STATES DISTRICT JUDGE, and a jury.

APPEARANCES:

ARLENE SOKOLOWSKI-CRAFT, Esquire
7425 Royalton Road
North Royalton, Ohio 44133
Counsel for the Plaintiff.

THOMAS L. ECKERT, Esquire
U.S. Attorney's Office
P.O. Box 1709
Roanoke, VA 24008
For the United States of America.

Proceedings recorded by Stenography, transcript
produced by computer.

BRIDGET A. DICKERT
UNITED STATES COURT REPORTER
180 WEST MAIN STREET, ROOM 104
ABINGDON, VIRGINIA 24210
(276) 628-5116

Meade - Direct

1 (Proceedings commenced at 9:22 a.m.)

2 (Proceedings were had and reported, but not
3 transcribed.)

4 TERESA MEADE, DEFENDANT'S WITNESS, SWORN
5 BY MR. ECKERT

6 Q Please state your name and occupation?

7 A Teresa Meade, registered nurse.

8 Q You're a registered nurse, ma'am?

9 A Yes.

10 Q How long have you been licensed as a nurse?

11 A Fifteen years.

12 Q And are you licensed in the State of Virginia?

13 A Yes, sir.

14 Q And --

15 THE COURT: Where did you get your nurse's
16 training?

17 THE WITNESS: Lincoln Memorial University in
18 Harrogate, Tennessee.

19 BY MR. ECKERT

20 Q When did you graduate, ma'am?

21 A 1996 or 1995. I'm not sure.

22 Q You work at the U.S. Penitentiary in Lee County?

23 A Yes. I also work at the Regional Medical Center.

24 Q That is in Pennington Gap?

25 A Yes.

Meade - Direct

1 Q What do you do there?

2 A I'm a registered nurse. I work on the med/surgical
3 floor.

4 Q Medical surgical floor?

5 A Yes.

6 Q What do you do at USP Lee?

7 A I'm a registered nurse there, just an on duty RN. We
8 just do basic nursing care, injury assistance, routine care
9 for inmates.

10 Q How long have you worked at USP Lee?

11 A Ten years.

12 Q How long -- you also have been working at the hospital
13 in Pennington Gap. How long have you been there?

14 A Around 15 years.

15 Q How come you work two jobs?

16 A I've always -- well, I was a single parent until a few
17 years ago, and I have to work.

18 Q Were you licensed and working as an RN at USP Lee on
19 November 1, 2007?

20 A Yes, sir.

21 Q Now, did you receive any additional nursing training
22 from the Bureau of Prisons?

23 A When I was first hired we had an emergency nursing
24 class, and an advanced cardiovascular class. I believe that
25 was all.

Meade - Direct

1 Q On November 1, 2007 did you have occasion to do a
2 medical assessment of Demetrius Hill?

3 A I remember it.

4 Q I'll show you a document here and ask you if this is a
5 copy of your medical assessment from that day?

6 A Yes, sir.

7 Q How did you examine Mr. Hill? Do you remember?

8 A I don't remember the particular incident, but when
9 they're placed in ambulatory restraints we check their wrist
10 restraints, their leg shackles, the chain that goes around
11 their abdomen to make sure they have good capillary refill
12 and their pulse is good, make sure there's no circulatory
13 impairment.

14 Q Did you have occasion to see whether or not he was
15 suffering from dizziness, or any other abdominal pain, or
16 anything where he could not stand up, could not, could not
17 maintain his equilibrium or something like that?

18 A If I had seen it that day I would have documented it.

19 Q What did you document in there as far as any inmate
20 harm?

21 A No injuries.

22 MR. ECKERT: Your Honor, I would ask --

23 THE COURT: You were examining him because of the
24 restraints on him?

25 THE WITNESS: Yes, sir.

Meade - Direct

1 THE COURT: Not because someone had beaten him up,
2 or anything?

3 THE WITNESS: Any time there's an incident where
4 someone is placed in restraints, or any, pretty much any
5 time they're physically touched by a staff member we do an
6 injury assessment.

7 THE COURT: Did you check to see the handcuffs
8 weren't cutting off blood circulation, this type of thing?

9 THE WITNESS: Yes.

10 BY MR. ECKERT

11 Q If you had noticed any harm from him being assaulted
12 would you have noted that in your report?

13 A Yes, sir.

14 Q If you had noticed dizziness, or his inability to
15 stand, or understand things, or to, if he exhibited any pain
16 and told you about that, would you have noted that?

17 A Absolutely.

18 Q Did you in this case?

19 A No.

20 MR. ECKERT: We renew our motion to enter this
21 document into evidence.

22 THE COURT: It will be received.

23 MR. ECKERT: I have no other questions of the
24 witness, Your Honor.

25 THE COURT: You may cross examine.

Meade - Cross

CROSS EXAMINATION

2 BY MS. SOKOLOWSKI-CRAFT

3 Q I'll make it very quick. You indicated that you have
4 been at USP Lee for over ten years, correct?

5 A Ten years October 23rd.

6 Q And you indicated that you reviewed Mr. Hill, and as
7 you testified it was only for the ambulatory restraints,
8 correct?

9 A Yes.

10 Q Do you remember what time you looked at him?

11 A No. I would have to look on the document and see. To
12 this day I can't remember that time.

13 Q Do you remember talking to Mr. Hill at all? Was there
14 any conversation between you, yourself, and Mr. Hill?

15 A Normally when I do a restraint check I always ask the
16 inmate if they have any injuries or anything to report.

17 Q Would you note that on your records if you asked them?

18 A I wouldn't put it if I asked them. If they had told me
19 they had an injury I would have put inmate voiced such and
20 such complaint.

21 Q Okay. Do you remember anything -- obviously, you're
22 testifying today as to this date, but other than your
23 testimony was there anything significant about that day that
24 would make you remember it as opposed to any other
25 individuals?

Meade - Cross

1 A No.

2 Q How often, how often do you actually do these types of
3 ambulatory restraint checks? Is it, how often is somebody
4 placed in an ambulatory restraints?

5 A Several years ago I would say quite frequently, but in
6 the past two years I only know of two or three.

7 Q Why is that?

8 A Well, I really can't tell you. Difference in inmates,
9 different administration. I don't know. Different rules,
10 maybe.

11 Q So it's just not as commonly used, the ambulatory
12 restraints?

13 A No. I mean, if an inmate resists a staff member, then
14 they're put into ambulatory restraints. But we don't have a
15 lot of trouble at this moment.

16 Q Okay. That's obviously always good. And for the jury,
17 can you explain to the jury what ambulatory restraints are
18 and how they are put on a person?

19 A There are wrist cuffs, handcuffs, and they are placed
20 on the inmate, there's a chain that goes around their
21 abdomen, and they connect the wrist restraints with the
22 chain on the abdomen. I'm not really sure what that's
23 called. And then they're in a set of shackles on their
24 ankles.

25 Q Are they seated or standing?

Meade - Cross

1 A Standing. Normally standing.

2 Q When you check them you take a view, and what do you
3 do, take their pulse?

4 A We take their pulse, we check their fingernail beds for
5 good circulation, we put our fingers underneath the cuffs to
6 make sure there is adequate room between the cuffs and the
7 skin, and same thing for the feet. And then with the chain
8 that goes around their abdomen, we always put our hand
9 underneath that to make sure it's not too tight.

10 Q You're specifically focused on those restraints then?

11 A Yes.

12 Q If somebody doesn't say to you, "I have a headache,"
13 or, "I have a neck injury," or something like that, you're
14 probably not looking at anything above this mark?

15 A Usually we do a visual. Unless they tell me they have
16 a specific complaint, we don't look at that particular area
17 like an elbow or a knee until they say that that is injured.
18 Mostly it's just basically look at an individual, look in
19 their mouth, look at their lips.

20 Q Just a quick question. When -- I know you have nothing
21 to do with disciplinary hearings, or anything like that.
22 Have you ever been called in to give any testimony or any
23 information ever during a disciplinary hearing relating to
24 inmates and injuries or officer's injuries?

25 A One inmate asked me to come to the disciplinary

Meade - Cross

1 hearing, a DHO hearing, and I believe they ended up
2 cancelling it, but I was just going to be a witness one time
3 that I can remember.

4 Q That was because the inmate asked for you?

5 A Yeah.

6 Q So, so, USP Lee has never come in and asked you to
7 explain anybody's injuries?

8 A Oh, yes, in the court system I've been here several
9 times.

10 Q Oh, okay. In the court system?

11 A Yeah.

12 Q But not during disciplinary hearings of inmates?

13 A Are you talking about at the institution?

14 Q Yeah, the institution.

15 A The DHO hearings, I've only been called in once.

16 Q Okay.

17 MS. SOKOLOWSKI-CRAFT: I have no further
18 questions.

19 THE COURT: Let me ask you, where was Mr. Hill
20 when you conducted your examination?

21 THE WITNESS: I honestly can't remember.

22 THE COURT: Was he in a cell with broken
23 sprinklers spewing water?

24 THE WITNESS: Sir, I can't remember that.

25 THE COURT: You would remember that before you

Meade - Redirect

1 examined him, wouldn't you?

2 THE WITNESS: Not really. It's been many years.

3 Unless I've got it documented on paper exactly, I can't
4 really remember.

5 THE COURT: You don't know whether he had been
6 removed from his cell and was in a holding cell?

7 THE WITNESS: Normally if they break their
8 sprinkler head, like I can't remember this particular case,
9 if they break their sprinkler head they're put in a holding
10 cell.

11 THE COURT: And that's where you would conduct
12 your examination?

13 THE WITNESS: Yes, sir.

14 THE COURT: Okay. Any additional questions of
15 this witness?

16 MR. ECKERT: A follow up, if I might.

17 REDIRECT EXAMINATION

18 BY MR. ECKERT

19 Q If Mr. Hill complained that he was hurt in any way,
20 that he was dizzy, that he was in pain, anything like that,
21 would you have noted it in that report?

22 A Absolutely.

23 Q And in this report there's no such notes?

24 A No.

25 Q Okay.

Meade - Redirect

1 (Proceedings were had and reported, but not
2 transcribed.)

3 (Proceedings concluded at 3:50 p.m.)

4

5 CERTIFICATE

6

7 I certify the foregoing is an accurate transcript
8 from the record of proceedings in the above-entitled
9 matter.

10

11

12 4/17/11
13 Date

14 /s/ Bridget A. Dickert
15 U.S. Court Reporter

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